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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,381	12/19/2001	Robert A. Cordery	F-442	7716

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EXAMINER

WOO, RICHARD SUKYOON

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 03/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/683,381

Applicant(s)

CORDERY ET AL.

Examiner

Richard Woo

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12-19-01 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1) The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Drawings

2) The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: "504" and "505" in Fig. 9. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

3) The drawings are objected to because of the following informalities:

In Figs. 5B-5D, the directions, B, C, D, E and F, are mismatched with respect to the specifications.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

- 4) Claims 1-8 are objected to because of the following informalities:

In Claims 1-8, the claim numbers as designated by Applicants (e.g. c1, c2) should be changed to a conventional one (e.g. 1, 2, etc).

In Claims 4-8, the statutory claim types (claims 4-8) are not consistent with the independent claim 3.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

- 5) The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

- 6) Claims 1-8 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

In Claims 1 and 3, not every mail is processed by a postage meter or equivalent automated machine (i.e. many mails are still handled manually) and, furthermore, a handwritten address and information on the mail may not be scanned by the conventional OCR or other scanner. Applicants are deemed to be silent about how to deal with these manually processed mails with unreadable source or destination information.

- 7) The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- 8) Claims 1-2 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In Claim 1, line 5, the recitation of "the mailbox" lacks antecedent basis.

In Claim 8, line 2, the recitation of "the envelope" lacks antecedent basis.

Claim Rejections - 35 USC § 102

- 9) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

- 10) Claims 1-8, as far as claims 1-2 and 8 are definite and claims 1-8 are enabling, are rejected under 35 U.S.C. 102(e) as being anticipated by Sansone (US 2002/0141613)

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in

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ference was derived from the inventor of this application and is thus not the
ation "by another," or by an appropriate showing under 37 CFR 1.131.

Sansone discloses a system of incoming mail receptacles for detecting hazards
in a mail piece, comprising:

a plurality of incoming mail receptacles each including a hazard detector (170),
an image scanner (23) for scanning the face of the mail piece, a communication system
(35), and a scan detection system (See Fig. 2);

a server (34) connected to the mail receptacles for receiving scan detection data
and communicating the notification to the sender and recipient; and

a secure Internet connection between the server and receptacles (see Figs. 2-3).

Sansone further discloses a method for communicating a quarantine condition to
users, comprising:

detecting the presence of a mail piece (see Figs. 2-3);

detecting sender and recipient information from a mail piece (see Figs. 6 and 8);

testing the mail piece for hazards (see Fig. 6);

alerting the server upon detection of a hazard and providing source information
to the server (see Figs. 2-3, 6);

determining a notification method (see 35 in Figs. 2-3) and notifying at least one
user;

detecting a destination address (see Fig.8);

detecting a return address (see Fig. 8);

determining if an email address is available to users (see Fig. 4);
determining if a telephone number is available to users (see Fig. 4); and
determining if the address on the mail piece is a valid postal address for the user
(see Figs. 2-4, 6-8).

Claim Rejections - 35 USC § 103

11) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12) Claims 1-8, as far as claims 1-2 and 8 are definite and claims 1-8 are enabling, are rejected under 35 U.S.C. 103(a) as being unpatentable over Pintsov (EP 1063602) in view of Gomberg (US 5,440,136).

Pintsov discloses a system of incoming mail receptacles, comprising:

a plurality of incoming mail receptacles including an image scanner (120) for scanning the face of the mail piece, a communication system (250 and other delivery means), and a scan detection system (120, 130, 200);

a server (170) connected to the mail receptacles for receiving scan detection data and communicating the notification to the sender and recipient (see Fig. 2); and

a secure Internet connection (250) between the server and receptacles.

Pintsov further discloses a method for communicating a mail piece to users, comprising:

- detecting the presence of a mail piece (see Fig. 2);
- detecting sender and recipient information from a mail piece (see Fig.2);
- alerting the server upon detection of a mail and providing source information to the server (see Fig. 2);
- determining a notification method and notifying at least one user;
- detecting a destination address (see Fig. 2);
- detecting a return address (see Fig. 2);
- determining if an email address is available to users (see Fig. 3);
- determining if the address on the mail piece is a valid postal address for the user (see Figs. 2-3).

However, Pintsov does not specifically disclose the system and method for detecting hazards in a mail piece and alerting the server upon detection of a hazard and providing source information to the server.

Gomberg teaches for a method and system for detecting hazards, that the method and system can detect a hazard in a mail piece (such as a parcel) and alert (28) the user upon detection of a hazard (see Figs. 1-2).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art, to modify the mail process system and method of Pintsov such that the method and system would include a hazard detector and the server connected to the hazard detector, as taught by Gomberg, for the purpose of notifying at least one user via the well known notification method (e.g. telephone, e-mail, etc.) upon detection of the hazard in the mail piece.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

DE 10153420 is cited to show a post office mail box having an air lock arrangement including a mail sack that are manufactured especially as a plastic web with perforated separation lines between individual sacks.

US 2003/0034874 is cited to show a system for secure mail transport and verifiable delivery for mail security.

US 5200626 is cited to show methods and systems for detecting small amounts of hazards hidden in a baggage.

US 2002/0124664 is cited to show a system for screening mail for hazards, wherein mail pieces are processed in a mail sampling system to determine if the mail is contaminated with a hazard.

"Scanna Mail" is cited to show a system for detecting a hazard in a mail piece and alarming automatically on suspect packages.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Woo whose telephone number is 703-308-7830. The examiner can normally be reached on Monday-Friday from 8:30 AM -5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703-308-2702. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-308-3691 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0861.



Richard Woo
Patent Examiner
GAU 3629
March 04, 2003



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